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IN THE
SUPREME COURT OF THE UNITED STATES

Joshua Omar Garcia,

Petitioner,

v.

United States of America,

Respondent.

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

**APPLICATION FOR EXTENSION OF TIME
TO FILE PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

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To the Honorable Neil M. Gorsuch, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Tenth Circuit:

Petitioner Joshua Omar Garcia, by undersigned counsel, prays for a 30-day extension of time, to and including August 28, 2025, in which to file a petition for a writ of certiorari. In support of this request, counsel states as follows:

1. On April 30, 2025, the United States Court of Appeals for the Tenth Circuit affirmed Mr. Garcia's sentence. (Attachment A.)
2. Mr. Garcia has ninety days from that date to file a petition for a writ of certiorari. Sup. Ct. R. 13.3. The petition is therefore due on July 29, 2025. This application is being filed at least ten days before that date.
3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
4. Since the Tenth Circuit's decision in Mr. Garcia's case, undersigned counsel has filed a reply brief in *United States v. Simmons*, Tenth Cir. No. 24-6077 (filed May 5); a petition for a writ of certiorari in *Borne v. United States*, Sup. Ct. No. 25-5034 (filed July 2); and a petition for a writ of certiorari in *Willis v. United States*, Sup. Ct. No. 25-5009 (filed July 2). Counsel is also responsible for filing the supplemental opening brief in *Cato v. Bridges*, Tenth Cir. No. 24-5093 (currently due on August 1, 2025, after two extensions); a reply brief in *United States v. Smith*, Tenth Cir. No. 24-5088 (currently due on August 4, 2025, with no extensions); any petition for a writ of certiorari in *United States v. Farris*, Tenth Cir. No. 22-1412 (currently due on August 8, 2025, with one extension); an opening brief in *United States v. Willis*, Tenth Cir. No.

25-5042 (currently due on August 12, with no extensions); and the answer brief in *United State v. McCarthy*, Tenth Cir. No. 25-5026 (currently due on August 22, 2025, after two extensions).

5. Given their own current caseloads, as well as the work undersigned counsel has put into this case as counsel of record, no other attorney in the Office of the Federal Public Defender is in a position to file the petition by its current due date.

* * *

For these reasons, Petitioner Joshua Omar Garcia, respectfully requests that an order be entered extending the time in which to petition for a writ of certiorari by 30 days, to and including August 28, 2025. *See* Sup. Ct. R. 13.5.

Respectfully submitted,

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